graph shows, the monthly growth in GPS penetration has ranged between 1.7 and 1.2%. This monthly increase has slowed to between 1.1 and 0.9% since then, and is expected to slow even further as the year continues.

The principal reason for this slowdown is that while new GPS-capable handset sales continue to be brisk, newer GPS phones are now replacing older, but nevertheless compliant, GPS-capable handsets bought by customers two to three years ago. It is simple arithmetic that further increases in penetration will slow, since an increasing proportion of handset churn is GPS-to-GPS, which has no effect on increasing the overall penetration rate. Although Verizon Wireless' marketing efforts continue to result in handset turnover among its own subscribers – precisely what the Commission's rules envision – such turnover does *not* necessarily improve the company's ability to reach the 95% penetration milestone.

Ironically, customers who purchased a GPS handset beginning in 2002 and subsequently replaced it may never have had the opportunity to use the GPS capability, if their local PSAP had not upgraded its system to be able to use Phase II location data. Given the minority of PSAPs that have installed Phase II capability so far, the GPS capability built into the handset to meet the Commission's handset activation milestones was more than likely to have been useless.

D. Lower Churn Has Made the 95% Penetration Level Harder to Reach.

Churn, which is the principal measurement of customer turnover, has contributed to both Verizon Wireless' success and, paradoxically, its current situation.[27] In the *E911*

[27] Churn represents customers leaving Verizon Wireless and is calculated based on total monthly disconnects divided by average total customers. Low churn is used in the wireless industry as an

Third R&O, the Commission based its E911 handset targets and timetables on average churn rates the wireless industry experienced historically and was *experiencing at the time*, which yielded a projected 2% churn.[28] The Commission's reasoning is apparent: when a customer moves from an old service provider to a new service provider, the customer must purchase a new handset – representing an opportunity for the new service provider to sell a GPS-capable handset. Similarly, the old service provider's penetration level would be improved by having lost a customer with a non-GPS-capable handset and potentially replaced by a new customer.

Carriers have strong commercial incentive, however, to reduce churn through improvements in quality of service, customer care, and lower prices (all of which the Commission has viewed as in the public interest). While the FCC used a churn rate of 2% per month to arrive at its estimate as to how long it would take to achieve full GPS handset penetration, Verizon Wireless' monthly churn levels, as shown by the following graph, have averaged well below 2% for the past two years – and are the industry's lowest during the period since the Commission established Verizon Wireless' deployment schedule. For example, Verizon Wireless' recent second quarter 2005 churn rate averaged 1.2% per month, far lower than the average of 2.2% per month for the other national carriers.

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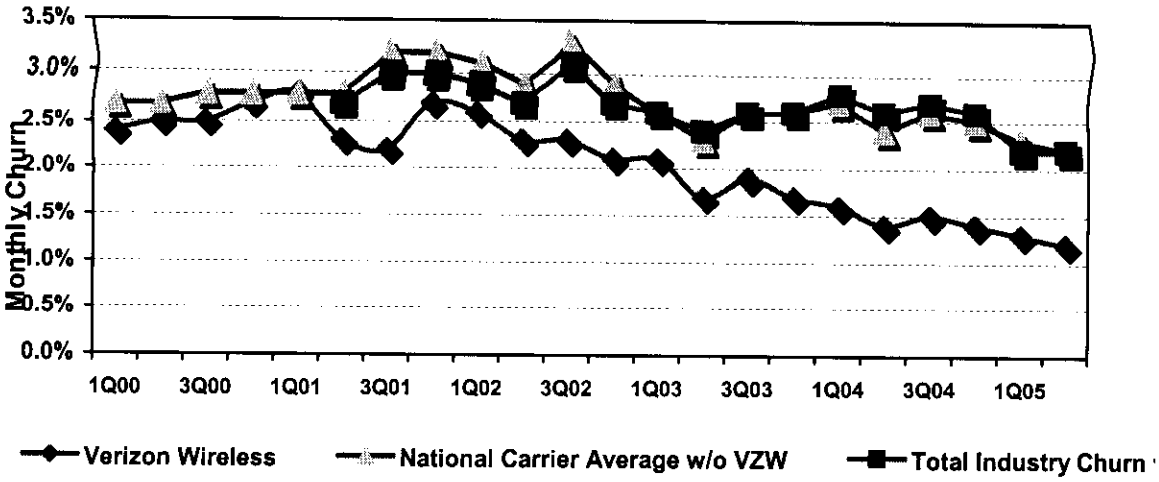
indicator of financial health and managerial effectiveness; it is a very positive indicator because it is a proxy for subscriber satisfaction and revenue stability.

[28] "The requirements we are adopting for ALI-capable handset deployment are likely to stimulate a substantial level of coverage as a result of normal handset turnover and growth. TruePosition, a network-based ALI vendor, estimates annual churn of wireless subscribers at 25.63 percent and, by adding in expected growth in customers, projects that after four years, 73 percent of handsets would be ALI-capable. More optimistically, handset-based provider IDC estimates slightly lower annual churn of 24 percent, but based on projections of new sales, churned handsets, and retrofits, projects that almost 100 percent of handsets would be ALI-capable within less than 3 years without extraordinary measures being taken by carriers." *E911 Third R&O*, ¶ 50.



While low churn signals high customer satisfaction, it also makes progress toward the 95% milestone more difficult. Low churn keeps the "denominator" of total customers high for purposes of meeting the rule, while slowing the increase in the "numerator" of GPS handset-equipped customers. Because these non-GPS customers are satisfied with their handsets and their service, the company's task of encouraging them to upgrade their handsets to GPS models is all the more challenging.[29]

III. LIMITED RELIEF FROM THE HANDSET PENETRATION RULE IS CONSISTENT WITH THE PUBLIC INTEREST AND DOES NOT FRUSTRATE THE FCC'S E-911 OBJECTIVES.

The Commission applies its traditional legal standard to requests for waiver of its E-911 requirements -- that the Commission's rules may be waived for good cause shown, and that waiver is only appropriate if special circumstances warrant a deviation from the

[29] In his report to the Commission, Professor Dale Hatfield acknowledged that wireless carriers felt that "their lower churn rate was a sign of customer satisfaction and that, in order to meet handset deployment requirements, they would have to offer deeper discounts on handsets to meet their rollout targets. They claimed, in effect, that they were being penalized for their success." A Report on Technical and Operational issues Impacting The Provision of Wireless Enhanced 911 Services, Prepared for the Federal Communications Commission, § 3.4.2. WT Docket No. 02-46, filed Oct. 15, 2002

general rule, and such deviation serves the public interest.[30] The Commission in the *Fourth MO&O* also acknowledged that waivers may be warranted for handset milestones, and clarified how this standard would be applied in the E-911 context, noting that requests for waiver should be "specific, focused and limited in scope, and with a clear path to full compliance."[31] The Commission added that "carriers should undertake concrete steps necessary to come as close as possible to full compliance and should document their efforts aimed at compliance in support of any waiver requests."[32] Grant of an additional six months, through June 30, 2006, to achieve the 95% GPS handset penetration milestone is consistent with the public interest under this standard.

A. A Short Extension of the Milestone Meets the *Fourth MO&O* Criteria, Because Verizon Wireless Has Taken Steps to Come as Close as Possible to Full Compliance and It Will Achieve the Milestone.

As discussed above, despite its efforts to meet the 95% milestone, Verizon Wireless is unlikely to achieve that goal by year's end. The company requests a limited, time-specific waiver of this requirement in light of its full past compliance, its ongoing efforts, and its continuing commitment to increase penetration of GPS-capable handsets. Verizon Wireless believes that 95% of its subscriber base will have location-capable handsets within months of the current December 31, 2005, deadline. For the reasons

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30 47 C.F.R. § 1.3; *Northeast Cellular Telephone Co. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990) citing *WAIT Radio v. FCC*, 418 F.2d 1153, 1159 (D.C. Cir. 1969). Section 1.925(b)(3) provides further that waiver may be warranted if "(i) [t]he underlying purpose of the rule(s) would not be served or would be frustrated by application to the instant case, and that a grant of the requested waiver would be in the public interest; or (ii) [i]n view of unique or unusual factual circumstances of the instant case, application of the rule(s) would be inequitable, unduly burdensome or contrary to the public interest, or the applicant has no reasonable alternative." 47 C.F.R. § 1.925(b)(3).

31 *E911 Fourth MO&O*, ¶ 44.

32 *Id.*

discussed below, Verizon Wireless has taken and will continue to take concrete steps to come as close as possible to full compliance and is on a path to full compliance.

As detailed above, it took many such actions. Verizon Wireless (1) expanded its number of handset suppliers to offer dozens of GPS models across all price ranges; (2) promoted, subsidized and discounted GPS handsets to offer customers competitive and affordable choices among those handsets; (3) created targeted marketing programs to send text messages and direct mail to customers with non-GPS handsets, and followed up with outbound telemarketing to those customers; (4) implemented a program to urge non-GPS customers to upgrade their handsets when they call customer service; (5) blocked the reactivation of non-GPS handsets on its network; (6) added detailed information on its website to inform customers about the benefits of upgrading to GPS-capable handsets; and (7) developed a web-based look-up tool for customers to confirm their handset's E-911 Phase II capability. These are diligent, good faith efforts.[33]

A penetration level of 91% has been achieved despite the very low churn the company has experienced in the past year, and stands in contrast to the much slower rate of PSAP Phase II upgrades across the nation. Moreover, as the Commission has recognized, some legacy customers simply will choose not to upgrade their non-GPS-capable handsets, despite a carrier's best efforts.[34] For Verizon Wireless, this has been a daunting task given its huge legacy non-GPS subscriber base (approximately 27.5 million) when GPS-capable handsets became commercially available at the end of 2001. Yet the company has succeeded in transforming literally tens of millions of customers to GPS handsets and is

[33] *See Sprint Waiver Order*, ¶ 13 n.52.
[34] *E911 Third R&O*, ¶¶ 51, 54.

likely to exceed 93% by December 31, 2005, falling just short of the mandate. It has thus come as close as possible to achieving full compliance.

Verizon Wireless will endeavor to reach the 95% penetration level in the same manner it has achieved each interim handset milestone -- through a sustained effort that combines all of the multiple efforts outlined above. Because Verizon Wireless continues to add new customers and all of Verizon Wireless' new activations are for location-capable handsets, and all handsets have a finite useful life, Verizon Wireless will reach the 95% milestone. Because it only sells GPS handsets, further time will inevitably yield continued progress toward that milestone. The penetration percentage cannot decrease. In short, the company is on the "path to full compliance." It seeks an additional six months, until June 30, 2005, to achieve 95% customer GPS handset penetration.

B. The Relief Verizon Wireless Requests Is Consistent With the Public Interest and Will Not Frustrate E-911 Objectives, But Will Avoid Forcing Customers to Surrender Handsets That They Like.

As the D.C. Circuit established long ago in *WAIT Radio*, the Commission's "discretion to proceed in difficult areas through general rules is intimately linked to the existence of a safety valve procedure for consideration of an application for exemption based on special circumstances."[35] Moreover, where, as here, the Commission "pursue[s] plans and policies bottomed on informed prediction," the availability of meaningful waiver relief is critical to the validity of the overall regulatory scheme.[36] This is particularly

[35] *See WAIT Radio v. FCC*, 418 F.2d at 1157.

[36] *See id.* at 1158 ("provision for waiver may have a pivotal importance in sustaining the system of administration by general rule"); *Telocator Network of America v. FCC*, 692 F.2d 525, 550 n.191 (D.C. Cir. 1982) ("Commission has an ongoing obligation to monitor its regulatory programs and make adjustments in light of actual experience" and "a duty to finetune its regulatory approach as more information becomes available ...."); *P&R Temmer v. FCC*, 743 F.2d 918, 929 (D.C. Cir. 1984) ("Where any administrative rule, although considered generally to be in the public interest, is

important where, as here, a mandate was entirely predictive and based on assumptions about PSAP deployment and customer churn that have not remained accurate. An agency *has an obligation to modify its mandate in that situation or at a minimum to consider* waivers or other relief from that mandate.[37]

The circumstances facing Verizon Wireless warrant a waiver under established precedent. As noted above, the circumstances surrounding E911 deployment in the timeframe allotted by the Commission have changed significantly with respect to the 95% penetration rate. Historic industry churn figures that formed the basis for the Commission's existing milestones have not been reflected in Verizon Wireless' churn. The robust growth in monthly GPS-capable handset sales and activations the company previously experienced, and which propelled its ability to meet or exceed the interim handset sale and activation milestones, has slowed as a progressively smaller portion of the embedded base holds onto non-GPS handsets. These marketplace factors, which were integral to the Commission's requirements, departed from what the Commission anticipated.

With record-setting low churn and a large legacy customer base, Verizon Wireless' task of converting 95% of its subscriber base within four years has been uniquely difficult. Even so, Verizon Wireless did not avoid this challenge nor seek additional flexibility until it became clear that it would not likely be able to meet the 95% threshold. Nonetheless, as a result of its efforts, Verizon Wireless has come very close to the target, achieving a 91% penetration rate as of the end of September 2005, and should exceed 93% by year-end. Verizon Wireless' circumstances cannot be attributed to lack of diligence on its part, but

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not in the public interest as applied to particular facts, an agency should waive application of the rule").

[37] *See. e.g., Aeronautical Radio, Inc. v. FCC,* 928 F.2d 428 (D.C. Cir. 1991).

rather to factors outside of its control – primarily (and ironically) embedded base customers' happiness with their old non-GPS handsets.

Grant of the instant waiver request will not frustrate the Commission's E-911 Phase II objectives. Verizon Wireless has undertaken numerous efforts to promote handset turnover, fully meeting the Commission's expectations of carriers. Verizon Wireless will continue these efforts and, given its near compliance with the 95% milestone, grant of the request will not frustrate the Commission's objective of making location capable handsets widely held throughout a carrier's subscriber base. Every Verizon Wireless subscriber who desires a new handset has a wealth of more than 40 models, in all price ranges – all GPS-capable – to choose from.

The Commission also intended that its aggressive handset deployment milestones and the 95% penetration requirement would ensure that location-capable handsets are widely available to and widespread within the subscriber base as PSAPs become Phase II-capable and initiate service in their particular markets.[38] It expected that widespread GPS handset penetration would occur in sync with widespread PSAP penetration, ensuring that customers would benefit from the GPS capability in their new handsets. In reality, however, Verizon Wireless' and PSAPs' Phase II deployment in many markets have occurred sequentially, not concurrently, with its handset activation and network upgrades occurring well in advance, or in the absence, of PSAP upgrades. As a result, millions of

[38] *See E911 Third R&O* ¶ 8 ("we require that carriers take action to ensure that any phase-in for handset-based solutions is brief and complete, so that, so far as possible, all callers and PSAPs will benefit from accurate, automatic location information in emergencies without undue delay") and ¶ 46 (finding that "[w]here the local PSAP is capable of using ALI information and to take advantage of this information to operate more efficiently, any delay in Phase II implementation on the wireless industry's part raises significant questions as a matter of public policy).

GPS handsets in the hands of Verizon Wireless' customers are ineffective when those customers make emergency calls, because so many PSAPs are not yet Phase II capable.

NENA/Monitor anticipated some of the significant public policy implications of the timing of carrier obligation deadlines exceeding PSAP readiness:

> Strict enforcement of handset-penetration mandates would likely result in the unintended consequence of forcing consumers who have not already voluntarily upgraded their handsets to surrender their legacy handsets, which would be a net disservice to public safety and policy goals, and create a potential for consumer backlash in areas where PSAPs have not deployed.[39]

Strict enforcement of the 95% milestone would be inequitable, unduly burdensome and contrary to the public interest because it would disrupt customers by compelling them to trade in handsets before they would otherwise do so. Not only does Verizon Wireless offer a wide variety of GPS-capable handsets with other bundled features and capabilities to consumers nationwide, it does so at discounted prices (or for some models, for free) that enable consumers at every price range to purchase upgraded handsets. Given these measures, there is no need to strictly enforce the rule and require Verizon Wireless to compel its subscribers to upgrade their handsets. Indeed, the Commission's rationale for modifying the subscriber penetration from 100% to 95% recognizes that forcing all subscribers to change their devices would not be warranted.[40] Additionally, short of cutting off service to non-GPS-capable handsets, there is no assurance that such efforts will actually result in compliance with the 95% milestone. This is not a situation in which a carrier can simply spend money to purchase and install equipment or change its operations to ensure compliance with a particular regulatory

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[39] Monitor Group Report, "Analysis of the E9-1-1 Challenge," December 2003.
[40] *E911 Fourth MO&O,* ¶36.

requirement. Full compliance depends on actions by customers, not the carrier. For these reasons, imposing such requirements would be unduly burdensome and Verizon Wireless faces no reasonable alternatives.

Moreover, there is no public interest benefit in forcing customers to change out their handsets, particularly given the slower pace of PSAPs' Phase II E911 deployments. Compelled product substitution would be an unprecedented action for the Commission to take. A small percentage of Verizon Wireless' customers have chosen not to replace their non-GPS handsets. Requiring them to do so by government fiat would confuse and disrupt customers, not help them.

Such a fiat would be particularly inappropriate and ill-advised where so many Verizon Wireless customers still cannot benefit from the Phase II location information that a GPS handset sends, because of the patchwork of limited PSAP Phase II deployment. The only thing worse than the Government forcing the company to pry a non-GPS phone out of a satisfied customer's hand would be doing so on the premise that the phone must be replaced because it does not send Phase II location information, but then have the customer still in a market where he or she cannot benefit from Phase II anyway due to lack of PSAP readiness. There is no assurance that the customer can benefit from Phase II service even if he or she is forced to begin using a GPS phone. Given these circumstances, it clearly does not serve the public interest to force consumers into GPS-capable handset purchases.

C. Verizon Wireless Will Expand and Extend its Quarterly Reports to Include GPS Handset Penetration Data.

The *VZW Waiver Order* imposed reporting conditions on Verizon Wireless. On February 1, May 1, August 1, and November 1 of each year, it must provide a list of PSAP

deployments that have been completed and requested.[41] The reporting conditions also require the company to disclose the level of new GPS handset activations to show that it met the 25%, 50% and 100% milestones. However, since the last of those milestones occurred (and was met) by December 31, 2003, and all handsets being activated are GPS-capable, there is no longer any such data to report. Moreover, the reporting obligation ends altogether with the company's February 1, 2006, quarterly report.

The *VZW Waiver Order* did not require Verizon Wireless to provide data on the number or percentage of its customers that possess GPS handsets. However, in order to secure relief from the 95% requirement, Verizon Wireless is willing to take the following actions: First, it will include in its November 1, 2005, and February 1, 2006, reports data on GPS handset penetration. Second, it will continue the quarterly reports after their current expiration date of February 1, 2006, in order to report further progress toward meeting the 95% handset penetration requirement, on the same quarterly basis, until it achieves that requirement. This will supply the Commission with current and regularly updated data as to the company' progress toward maximum GPS handset penetration.

IV. CONCLUSION

For the foregoing reasons, waiver of Section 20.18(g)(1)(v) and modification of the *VZW Waiver Order* is consistent with the public interest, and is warranted under the Commission's waiver policies. Verizon Wireless commits to continue to make diligent efforts to meet the 95% subscribership penetration mandate. It requests an extension of six months until June 30, 2006, to reach 95%, but will continue all of its efforts to meet that milestone as early as possible in 2006. The company also proposes to expand and extend

[41] *VZW Waiver Order*, ¶ 45.

its quarterly reporting obligation, so that it keeps the Commission informed of its progress toward meeting the goal of maximum GPS handset penetration.

Respectfully submitted,

VERIZON WIRELESS

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Dated: October 17, 2005

Appendix A

LIST OF GPS-CAPABLE HANDSETS

Verizon Wireless has offered consumers an ample supply of diverse GPS-capable handsets. The following information is taken from the company's quarterly reports to the FCC:

February-02	**May-02**	**August-02**
Samsung SCH-N300	Samsung SCH-N300	Samsung SCH-N300
		Audiovox 9155-GPX

November-02	**February-03**	**May-03**
Samsung SCH-N300	Samsung SCH-N300	Samsung SCH-N300
Samsung SCH-A310	Samsung SCH-A310	Samsung SCH-A310
Audiovox CDM9155-GPX	Audiovox CDM9155-GPX	Audiovox CDM9155-GPX
Motorola T720	Audiovox CDM9500	Audiovox CDM9500
Motorola V120E	Audiovox CDM8300	Audiovox CDM8300
	LG VX2000	LG VX2000
	LG VZ4400	LG VZ4400
	Motorola T720	Motorola T720
	Motorola T720 Free-Up	Motorola T720 Free-Up
	Motorola V120E	Motorola V120E

August-03	**November-03**	**February-04**
Samsung SCH-A310	Samsung SCH-A310	Samsung SCH-A310
Samsung SCH-A530	*Samsung SCH-A530*	*Samsung SCH-A530*
Samsung SPH-I700	Samsung SPH-I700	Samsung SCH I600
Audiovox CDM9155-GPX	Audiovox CDM8600	Samsung SPH-I700
Audiovox CDM9500	Audiovox CDM9155-GPX	Audiovox CDM8600
Audiovox CDM8300	Audiovox CDM9500	Audiovox CDM8900
LG VX2000	Audiovox CDM8300	Audiovox CDM8300
LG VX3100	LG VX2000	LG VX2000
LG VX4400	LG VX3100	LG VX3100
LG VX6000	LG VX3100L	LG VX3100L
Motorola T720	LG VX4400	LG VX4400
Motorola T720 Free-Up	LGVX6000	LG VX4500
Motorola V120E	Motorola T720	LG VX6000
Kyocera KWC2325	Motorola T720 Free-Up	Motorola C343
Kyocera KWC7135	Motorola T730	Motorola V60s
	Motorola V120E	Motorola V60p
	Kyocera KWC2325	Motorola T730
	Kyocera KWC7135	Motorola T720 Free-Up
	Nokia 3589i	Motorola V120E
		Kyocera KWC2325
		Kyocera 2325 Free-up
		Kyocera 2325pp
		Kyocera KX 414
		RIM Blackberry 6750
		Nokia 2285
		Nokia 3589i

May-04	**August-04**	**November-04**
Samsung SCH-A310	Samsung SCH-A530	Samsung SCH-A530
Samsung SCH-A530	*Samsung SCH-A610*	*Samsung SCH-A610*
Samsung SCH-A610	Samsung SCH-A650	Samsung SCH-A650
Samsung SCH I600	Samsung SCH-A790	Samsung SCH-A670
Samsung SPH-I700	Samsung SCH I600	Samsung SCH-A790
Audiovox CDM8600	Samsung SPH-I700	Samsung SCH I600
Audiovox CDM8900	Audiovox CDM8600	Samsung SPH-I700
LG VX2000	Audiovox CDM8900	Audiovox CDM8600
LG VX3100	LG VX3200	Audiovox CDM8900.
LG VX3100L	LG VX3200PPD	Audiovox CDM8910
LG VX4400	LG VX4500	Audiovox CDM9900
LG VX4500	LG VX6000	LG VX3200
LG VX6000	LG VX7000	LG VX3200PPD
Motorola C333	Motorola C343	LG VX4500
Motorola C343	Motorola V60p	LG VX6000
Motorola V60s	Motorola T730	LG VX6100
Motorola V60p	Kyocera KWC 7135	LG VX7000
Motorola T730	Kyocera SE 47	Motorola C343
Kyocera KWC 7135	Kyocera KX414	Motorola V60p
Kyocera KWC2325 Free-up	Kyocera KX 414PPD	Motorola V710
Kyocera 2325PPD	RIM Blackberry 6750	Kyocera KWC 7135
Kyocera SE 47	RIM Blackberry 7750	Kyocera K404
Kyocera KX414	Nokia 3589i	Kyocera KX414
Kyocera KX 414PPD	TREO 600	Kyocera KX 414PPD
RIM Blackberry 6750		RIM Blackberry 6750
Nokia 2285		RIM Blackberry 7750
Nokia 3589i		Nokia 3589i
		Nokia 6015i
		TREO 600
		TREO 600WOC

February-05

Samsung SCH-A610
Samsung SCH-A650
Samsung SCH-A670
Samsung SCH-A790
Samsung SCH I600
Samsung SPH-I700
Audiovox CDM8600
Audiovox CDM8910
Audiovox CDM9900
Audiovox XV6600WOC
LG VX3200
LG VX3200PPD
LG VX4500
LG VX4600
LG VX6000
LG VX6100
LG VX7000
Motorola V60p
Motorola V265
Motorola V710
Kyocera KWC 7135
Kyocera K404
Kyocera KX414
Kyocera KX 414PPD
Kyocera KX2
RIM Blackberry 6750
RIM Blackberry 7750
Nokia 3589i
Nokia 6015i
TREO 600
TREO 600WOC

May-05

Samsung SCH-N330
Samsung SCH-A610
Samsung SCH-A650
Samsung SCH-A650PPD
Samsung SCH-A670
Samsung SCH-A790
Samsung SCH-A890
Samsung SCH I600
Samsung SPH-I700
Audiovox CDM8600
Audiovox CDM8910
Audiovox CDM8940
Audiovox XV6600
Audiovox XV6600WOC
LG VX3200
LG VX3200PPD
LG VX4500
LG VX4700
LG VX6100
LG VX6100PPD
LG VX7000
LG VX8000
Motorola V60p
Motorola V65p
Motorola V260
Motorola V265
Motorola V620
Motorola V710
Kyocera K404
Kyocera KPC650
Kyocera KX414
Kyocera KX414PPD
Kyocera KX444
Kyocera KX1
Kyocera KX2
RIM Blackberry 6750

RIM Blackberry 7250
RIM Blackberry 7750
Nokia 3589i
Nokia 6015i
Nokia 6015iPPD
TREO 600
TREO 600WOC

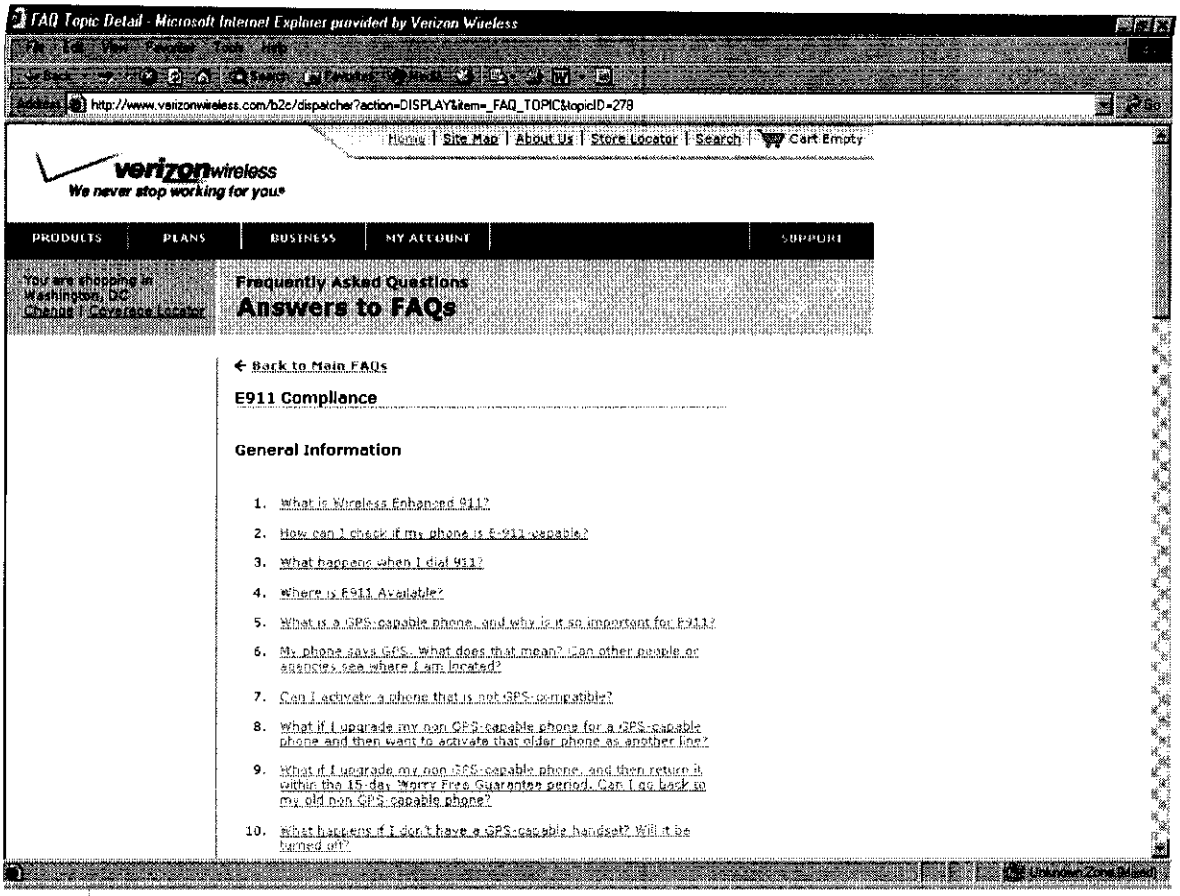
August-05

Samsung SCH-N330
Samsung SCH-A650
Samsung SCH-A650PPD
Samsung SCH-A670
Samsung SCH-I730
Samsung SCH-A790
Samsung SCH-A890
Samsung SCH I600
Audiovox CDM8600
Audiovox CDM8910
Audiovox CDM8940
Audiovox XV6600
Audiovox XV6600WOC
LG VX3200
LG VX4500
LG VX4650
LG VX4700
LG VX6100
LG VX6100PPD
LG VX7000
LG VX8000
LG VX8100
Motorola A840
Motorola E815
Motorola T300P
Motorola V60p
Motorola V65p
Motorola V260
Motorola V265
Motorola V710
Kyocera K404
Kyocera KX414
Kyocera KX414PPD
Kyocera KX444
Kyocera KX1
Kyocera KX2
RIM Blackberry 6750
RIM Blackberry 7250
RIM Blackberry 7750
Nokia 3589i
Nokia 6015i
Nokia 6015iPPD
TREO 600
TREO 650

Appendix B

Answers to Frequently Asked Questions – E911 Compliance

(http://www.verizonwireless.com/b2c/dispatcher?action=DISPLAY&item=_FAQ_TOPIC&topicID=278)



E911 Compliance
General Information

1. What is Wireless Enhanced 911?
2. How can I check if my phone is E-911-capable?
3. What happens when I dial 911?
4. Where is E911 Available?
5. What is a GPS-capable phone, and why is it so important for E911?
6. My phone says GPS. What does that mean? Can other people or agencies see where I am located?
7. Can I activate a phone that is not GPS-compatible?
8. What if I upgrade my non GPS-capable phone for a GPS-capable phone and then want to activate that older phone as another line?
9. What if I upgrade my non GPS-capable phone, and then return it within the 15-day Worry Free Guarantee period. Can I go back to my old non GPS-capable phone?
10. What happens if I don't have a GPS-capable handset? Will it be turned off?

General Information

1. **What is Wireless Enhanced 911?**
   Verizon Wireless routes 911 calls to designated emergency call takers, often local or county police, fire and rescue departments, known as Public Safety Answering Points or PSAPs.

Verizon Wireless provides PSAPs with what's known as Enhanced 911 or E911 service where PSAPs have upgraded their equipment, which automatically provides call takers with the mobile telephone number and the estimated location of the 911 caller to assist them in dispatching emergency assistance. The most advanced form of E911 service is referred to as Phase 2.

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2. **How can I check if my phone is E-911-capable?**
Use our easy online tool to determine whether your phone is E-911-capable.

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3. **What happens when I dial 911?**
Calls to 911 are routed and answered according to guidelines set by local public safety officials in your area. For example, some PSAPs answer emergency calls centrally for their entire state, others for their county or town. Most transfer calls or dispatch a responder nearest the emergency.

Verizon Wireless provides enhanced location information to emergency call takers but it cannot guarantee your precise location. Customers should remember that wireless phones are radios and can react to the environment. Rain, snow, fog, falling leaves, water, mountains, canyons and buildings may affect service. And in some places Public Safety call takers still rely only on the caller's descriptions to locate and dispatch help to people in emergency situations.

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4. **Where is E911 Available?**
Verizon Wireless' Enhanced 911 service works only where PSAPs have upgraded their equipment/systems to be able to read and use the Enhanced 911 location data. (Less than half of the PSAPs in the United States have upgraded as of September 1, 2005.) If interested, customers should contact their local or state elected officials to find out if the PSAP serving their town/city has updated their systems to use the wireless Enhanced 911 information or when wireless E911 service will be available in their area.

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5. **What is a GPS-capable phone, and why is it so important for E911?**
Verizon Wireless' Phase 2 E911 location technology is built into the phone's handset; GPS-capable phones rely on signals from the Federal Government's Global Positioning System satellites to help estimate their location when you make a 911 call. Verizon Wireless' handset-based location technology provides the most accurate capability over varied terrain, and is generally capable of estimating locations within 50 to 150 meters in most cases.

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6. **My phone says GPS. What does that mean? Can other people or agencies see where I am located?**
Many of the phones sold by Verizon Wireless in 2002-2003 and 100% of the new handsets sold since December 31, 2003 are GPS-capable, which means there is a chipset in the phone that will help provide location information to a PSAP when a caller dials 911. The phone is not a stand-alone GPS device. The handset alone does not support or initiate any kind of individual tracking capability. The location-determining capability becomes functional after dialing 911 when the network is prompted to determine the mobiles' location.

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7. **Can I activate a phone that is not GPS-compatible?**
No, because the FCC requires that carriers convert nearly all of their handsets to GPS capability, Verizon Wireless will no longer allow non GPS-capable phones to be activated onto the network. Older phones that are not GPS-capable cannot assist in estimating their location. If a non-GPS capable phone that is currently active is disconnected for any reason it will not be reactivated. If you purchased your handset in 2001 or earlier, it will not be GPS capable and you should upgrade it.

If you currently have a non GPS-capable device you can continue to use it. But once de-activated it will not be allowed back onto the Verizon Wireless network.

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8. **What if I upgrade my non GPS-capable phone for a GPS-capable phone and then want to activate that older phone as another line?**
Because the FCC requires that carriers convert nearly all of their handsets to GPS capability, Verizon Wireless will no longer allow non GPS-capable phones to be activated or reactivated onto the network. If you currently have a non GPS-capable device you can continue to use it. But once de-activated it will not be allowed back onto the Verizon Wireless network.

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9. **What if I upgrade my non GPS-capable phone, and then return it within the 15-day Worry Free Guarantee period. Can I go back to my old non GPS-capable phone?**
No, because the FCC requires that carriers convert nearly all of their handsets to GPS capability, Verizon Wireless will no longer allow non GPS phones to be activated onto the network. If you upgrade from a non GPS-capable to a GPS-capable phone and then return it within the 15-day period Verizon Wireless will not allow the older non GPS-capable phone back onto the network. We will however, allow you to exchange the phone for another GPS-capable device that will meet your needs.

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10. **What happens if I don't have a GPS-capable handset? Will it be turned off?**
No, Verizon Wireless will not be turning off handsets that are not GPS-capable. However, because the FCC requires that carriers convert nearly all of their handsets to GPS capability, Verizon Wireless will not allow a handset to be activated on the network unless it is GPS-capable.

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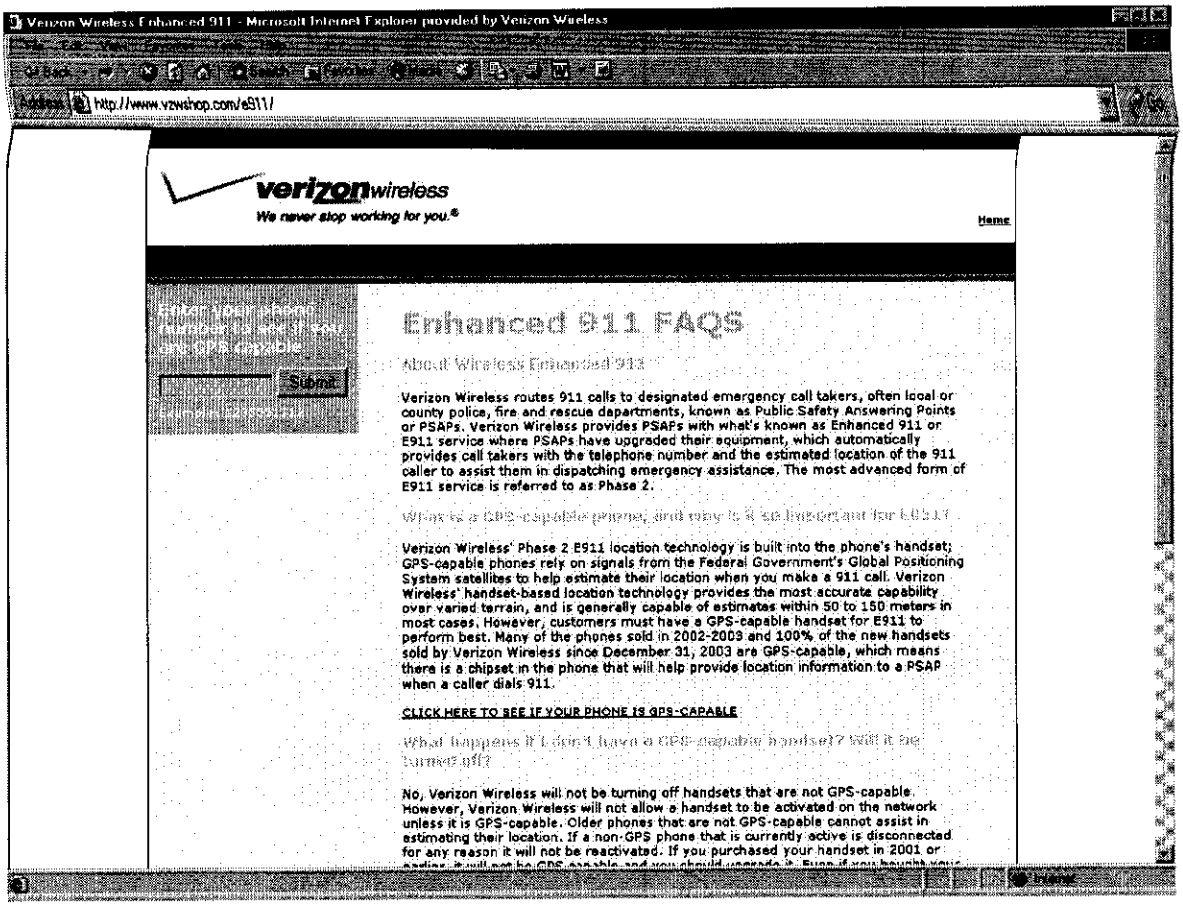
Appendix C

Online GPS-Capable Look-up Tool (http://www.vzwshop.com/e911/)



Enhanced 911 FAQS

About Wireless Enhanced 911

Verizon Wireless routes 911 calls to designated emergency call takers, often local or county police, fire and rescue departments, known as Public Safety Answering Points or PSAPs. Verizon Wireless provides PSAPs with what's known as Enhanced 911 or E911 service where PSAPs have upgraded their equipment, which automatically provides call takers with the telephone number and the estimated location of the 911 caller to assist them in dispatching emergency assistance. The most advanced form of E911 service is referred to as Phase 2.

What is a GPS-capable phone, and why is it so important for E911?

Verizon Wireless' Phase 2 E911 location technology is built into the phone's handset; GPS-capable phones rely on signals from the Federal Government's Global Positioning System satellites to help estimate their location when you make a 911 call. Verizon Wireless' handset-based location technology provides the most accurate capability over varied terrain, and is generally capable of estimates within 50 to 150 meters in most cases. However, customers must have a GPS-capable handset for E911 to perform best. Many of the phones sold in 2002-2003 and 100% of the new handsets sold by Verizon Wireless since December 31, 2003 are GPS-capable, which means there is a chipset in the phone that will help provide location information to a PSAP when a caller dials 911.

CLICK HERE TO SEE IF YOUR PHONE IS GPS-CAPABLE

What happens if I don't have a GPS-capable handset? Will it be turned off?

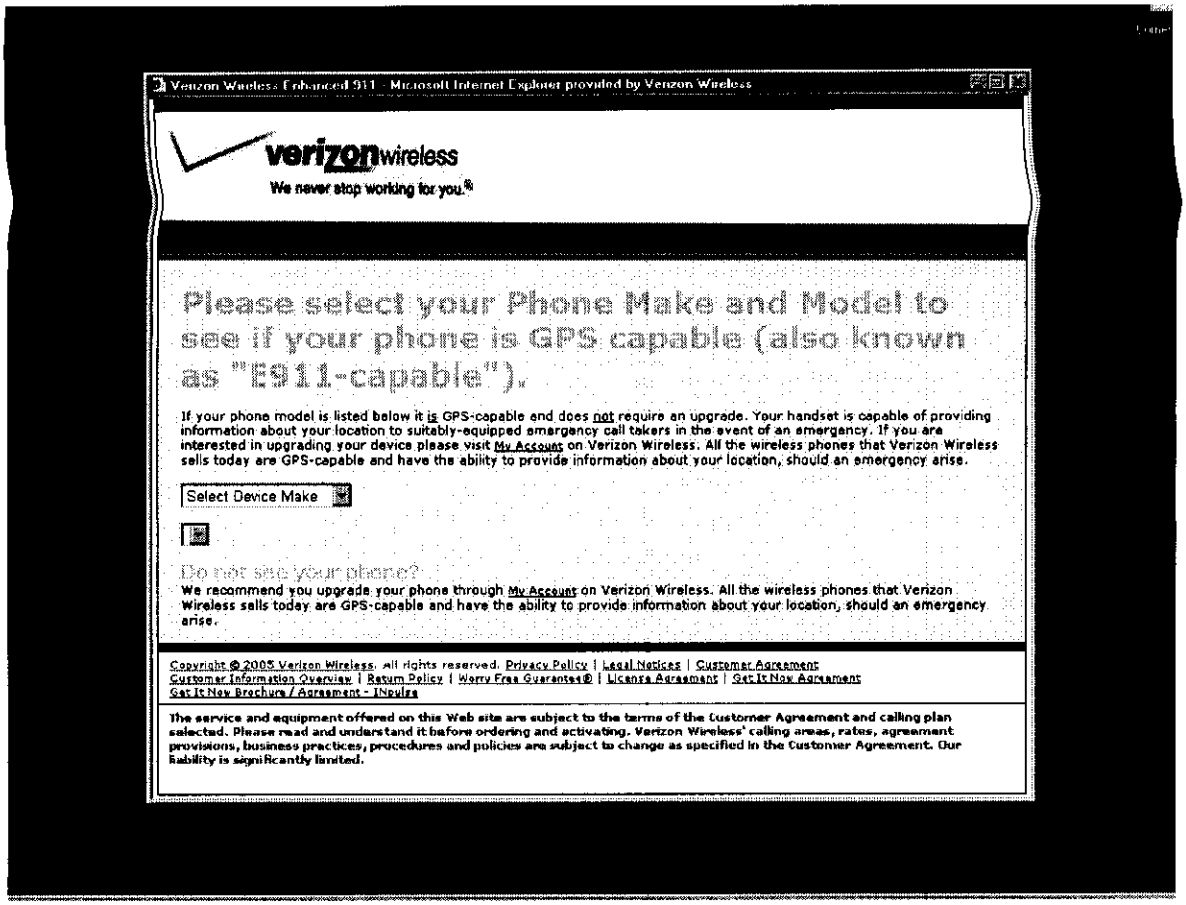
No, Verizon Wireless will not be turning off handsets that are not GPS-capable. However, Verizon Wireless will not allow a handset to be activated on the network unless it is GPS-capable. Older phones that are not GPS-capable cannot assist in estimating their location. If a non-GPS phone that is currently active is disconnected for any reason it will not be reactivated. If you purchased your handset in 2001 or earlier, it will not be GPS capable and you should upgrade it. Even if you bought your phone in 2002 or later, it may not be GPS capable and if so you should upgrade it.

Where is E911 Available?

Verizon Wireless' Enhanced 911 service works only where PSAPs have upgraded their equipment/systems to be able to read and use the Enhanced 911 location data. (If interested, customers should contact their local or state elected officials to find out if the PSAP serving their town/city has updated their systems to use the Enhanced 911 information or when wireless E911 service will be available in their area.) Verizon Wireless has devoted significant resources to upgrading its nationwide network to be able to provide E911 service as soon as PSAPs are ready. As of July 2005 Verizon Wireless' handset-based E911 service covers about half of the US population in parts or all of 44 States.

What happens when I dial 911?

Calls to 911 are routed and answered according to guidelines set by local public safety officials in your area. For example, some PSAPs answer emergency calls centrally for their entire state, others for their county or town. Most transfer calls or dispatch a responder nearest the emergency. Verizon Wireless provides enhanced location information to emergency call takers but it cannot guarantee your precise location. Wireless phones are radios and can react to the environment. Rain, snow, fog, falling leaves, water, mountains, canyons and buildings may affect service. And in some places Public Safety call takers still rely only on the caller's descriptions to locate and dispatch help to people in emergency situations.



Please select your Phone Make and Model to see if your phone is GPS capable (also known as "E911-capable").

If your phone model is listed below it is GPS-capable and does not require an upgrade. Your handset is capable of providing information about your location to suitably-equipped emergency call takers in the event of an emergency. If you are interested in upgrading your device please visit My Account on Verizon Wireless. All the wireless phones that Verizon Wireless sells today are GPS-capable and have the ability to provide information about your location, should an emergency arise.

Select Device Make

Do not see your phone?

We recommend you upgrade your phone through My Account on Verizon Wireless. All the wireless phones that Verizon Wireless sells today are GPS-capable and have the ability to provide information about your location, should an emergency arise.